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No. 506

12 June 2015



agriculture,
forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

BRANCH: FISHERIES MANAGEMENT

SECTOR NAME	APPLICATION NUMBER	
	IDENTIFICATION NUMBER OR REGISTRATION NUMBER	

Application form

Fishing Rights Allocation Process 2015/2016

FRAP 2015/2016

SECTIONS OF THE APPLICATION FORM TO BE COMPLETED BY APPLICANT "MARKED WITH YES"

		INDIVIDUAL	ENTITY
SECTION 1	Applicant's details (individual)	YES	NO
SECTION 2	Form of applicant (individual)	YES	YES
SECTION 3	Applicant's details (entity)	NO	YES
SECTION 4	Form of applicant (entity)	NO	YES
SECTION 5	Compliance	YES	YES
SECTION 6	Access to a suitable vessel	YES	YES
SECTION 7	Fishing Performance	YES	YES
SECTION 8	Transformation	YES (8.5 to 8.8 only)	YES (8.1 to 8.8)
SECTION 9	Job Creation	YES	YES
SECTION 10	Application declaration	YES	YES



agriculture,
forestry & fisheries
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APPLICATION NUMBER

IMPORTANT INFORMATION

1. This form must be completed and signed by a South African person as defined in the Marine Living Resources Act, 1998 (Act No. 18 of 1998).
2. Please read these notes carefully before completing the application form. Make sure that you read every section and that the information you provide is accurate.
3. When completing the application form, applicants are advised to read carefully the General Policy on the Allocation and Management of Fishing Rights: 2013 and the 2015 Netfish Fishery Specific Policy. These policies are available at www.daff.gov.za and at the distribution centre where this application form was collected. These policies will guide the Minister or his/her delegate when considering the application.
4. You may request a departmental official at the application centre to assist you with the understanding of the application form. Should you have any queries regarding the completion of the application form, you may ask an official to assist you with the query. Queries may also be addressed during office hours to the FRAP Call Centre Helpline at 021 402 3098
5. You or your representative may not communicate with the Minister, the delegated authority, or officials in the Department regarding your application other than at the application centre. Moreover, no reliance may be placed on any information given or obtained in any other manner.
6. The applicant must complete all sections of the application form. If any particular section does not apply to the applicant, the section may be marked "N/A." If an applicant cannot answer a section, it may be marked "Unknown." The applicant must respond in the spaces provided in the application form. Information may not be submitted by way of annexures except where applicants are specifically required to do so.
7. This application form must be completed by hand and submitted together with the required annexures. If the application is submitted in any other form, the application will be refused. Do not use a pencil. Use only a pen.
8. The declaration must be signed and attested before a Commissioner of Oaths by the applicant or the applicant's authorised representative. If the declaration is not signed and attested, the application will be refused.
9. One copy of the application must be made. This copy must be punched, divided and filed in the same manner as the original. The copy does not have to be certified as a true copy of the original, but it will be assumed to be the same as the original. Any discrepancy may invalidate the application.
10. The application and the copy of the application must be hand delivered at the distribution and receipting centers.
11. The application may not be submitted by post or by fax.
12. Improperly lodged applications will be refused. An application is improperly lodged if:
 - 12.1 it is received late; or
 - 12.2 the application is lodged in a manner contrary to the instructions.
13. Applications that are materially defective will be refused. An application is materially defective if:
 - 13.1 the declaration is not signed and attested by the applicant's authorised representative; or
 - 13.2 more than one application is received for a right in the same sector; or
 - 13.3 the applicant provides false information or documents, fails to disclose material information or attempt to influence the Minister or the delegated authority regarding this application.
14. Proof of payment of the application fee shall be submitted when returning the application form. Applications that are unpaid will be refused.

IMPORTANT INFORMATION

IF YOU CANNOT PROVIDE THE DOCUMENTS OR INFORMATION REQUESTED IN ANY OF THE SCHEDULES BELOW, YOU MAY SUBMIT AN EXPLANATION FOR THIS IN PLACE OF THAT ANNEXURE			Tick block if required documents are attached	
Sub Section	Documents or Information Required	Annexure	Applicant	Official
1.1 - 1.5	Certified true copy of first page (with photo) of the applicant's identity document.	1A-1		
1.6	Original valid South African Revenue Services (SARS) Tax Clearance Certificate.	1A-2		
1.11 - 1.14	Copy of one of the following: (a) a utility bill (water, electricity, telephone), (b) a rent agreement for a house or flat, (c) a bond agreement with a bank or (d) bank statements, e) an affidavit from a third party.	1C		
1.19	Provide a description of all your fishing activities, including involvement in other sectors and experience in the fishing industry. New entrants should demonstrate that they have the necessary skill, knowledge and ability to participate in the line fishery.	1E		
2.1	Provide records of catch permits issued from 2007 to 2014.	2A-1		
2.6	If "Yes," provide proof of shareholding/members interest in other entities that applied for fishing right during FRAP2015/16.	2A-2		
3.1 - 3.4	Provide company registration documents.	3A-1		
3.5	Original valid South African Revenue Services (SARS) Tax Clearance Certificate.	3A-2		
3.11 - 3.17	Please attach letter of authorisation from the applicant.	3C		
3.18 - 3.21	Copy of one of the following: (a) a utility bill (water, electricity, telephone), (b) a lease agreement, (c) a bond agreement with a bank or (d) bank statements, e) an affidavit from a third party.	3D		
4.1	Provide records of catch permits issued from 2007 to 2014.	4A-1		
4.4	Provide proof of entity ownership.	4A-2		
4.5 - 4.6	If "Yes," provide proof of shareholding/members interest in other entities that applied for a fishing right during FRAP2015/16.	4A-3		
4.7	Please provide financial statements for all sources.	4A-4		
5.1	If "Yes", provide details and any documentation regarding the offence including information regarding the conduct giving rise to the charge and the outcome of the criminal proceedings.	5A-1		
5.2	If "Yes", provide details and any documentation regarding the plea bargain arrangement entered into, including the conduct giving rise to the plea bargain, the dates and specifics of the plea bargain.	5A-2		
5.3	If "Yes," provide details and documentation regarding the conduct of the applicant, the date(s) of conviction, and the penalties imposed.	5A-3		
5.4	If "Yes", provide details and any documentation regarding the admission of guilt fine paid, including information regarding the conduct giving rise to the fine, the date of the offence and rand amount paid.	5A-4		
5.5	If "Yes", provide details regarding the detention, arrest or seizure, including information regarding the conduct giving rise to the proceedings, and whether a final confiscation or forfeiture order was granted under the Prevention of Organised Crime Act or the MLRA.	5A-5		
5.6	If "Yes", provide details and any documentation including the conduct of the individuals giving rise to the Section 28 proceedings.	5A-6		
6.1 - 6.3	Provide proof of vessel ownership detailing shareholding in the vessel.	6A-1		
6.4	Provide copy of vessel access agreement.	6A-2		
6.5	Provide South African Maritime Safety Authority (SAMSA) certificate and vessel specification documents.	6A-3		
8.1 - 8.2	If turnover greater than R10 million, provide BBBEE certificate. If turnover less than R10 million, provide confirmation of black ownership from registered auditors.	8A-1		
8.3	Attach the most recent employment equity profile provided to the Department of Labour, if available.	8A-2		
8.4	Provide proof in writing confirming board of directors from registered auditors.	8A-3		
8.5	If "Yes", provide proof.	8A-4		
8.6	If "Yes", provide net percentage of the total procurement for the last two years.	8A-5		
9.1 - 9.3	Provide applicant's employees Payroll.	9A-1		
9.5	If "Yes", provide proof.	9A-2		

Disclaimer: Tick by the receiving official does not confirm the authenticity of the information submitted with the application.

Section 1

Applicant's details (individual)

1A. Identification Details															
1.1	Surname														
1.2	First Name(s)														
1.3	Are you a South African citizen?											Y/N			
1.4	Identity Number											Age		Gender (M/F)	
1.5	Mark with "X" in respect of your race			Black			White						Coulored		Asian
1.6	Income Tax number														

1B. Contact Details														
1.7	Telephone number													
1.8	Cellphone number													
1.9	Fax number													
1.10	Email address													

1C. Residential Address															
1.11	Street number														
1.12	Street name														
1.13	Suburb														
1.14	Town/City											Postal Code			
1.15	How many years have you lived and / or worked in the area?														

1D. Postal Address															
1.16	Street number/PO Box														
1.17	Suburb														
1.18	Town/City											Postal Code			

1E. Fishing experience													
1.19	How many years have you been involved in the fishing industry?												
1.20	What work did you do before you became involved in fishing? (enter details below)												



APPLICATION NUMBER

Section 2

Form of application: (Individual)

2A. Right allocation records			
2.1	Were you awarded a fishing right during Long Term Rights Allocation and Management Process: 2005 (LTRAMP: 2005/6) and Fishing Right Allocation Process: 2013 (FRAP: 2013)?		Y/N
2.2	Have you applied for any other fishing rights during the Fishing Rights Allocation Process: 2015/16 (FRAP 2015/16)?		Y/N
2.3	If "Yes," in "2.2" complete the table below for all fishing rights applied for (including this application) in order of preference:		
	Name of Applicant for other right	Fishery	Application Number
2.4	Is there any other family member in the same household who has applied for any fishing right during the Fishing Rights Allocation Process: 2015/16 (FRAP 2015/16)?		Y/N
2.5	If "Yes," in "2.4" complete the table below in respect of family member applicant:		
	Name of Applicant for other right applied for	Application number	Relationship to you (i.e. wife, husband, brother, cousin, mother etc)
			Fishery
2.6	Are you a member, director or shareholder of a company or close corporation that applied for a fishing right in any other fishing sector during FRAP 2015/16?		Y/N
2.7	If "Yes," in "2.6" complete the table below for all fishing rights applied for (including this application) in order of preference (excluding Fish Processing Establishment)		
	Name of a company or close corporation	Application number	Applicants percentage shareholding or Membership interests
			Fishery
01			
02			
03			
04			
05			
06			
07			
08			
09			
10			



APPLICATION NUMBER

Section 3

Application details (entity)

3A. Identification Details									
3.1	Registered Name								
3.2	Trading Name								
3.3	Type of entity (mark with an "X")	Company		Close corporation		Co-operatives			
3.4	Registration Number:								
3.6	Percentage Black ownership			%					
3.5	Income Tax number								

3B. Contact Details									
3.7	Telephone number								
3.8	Cellphone number								
3.9	Fax number								
3.10	Email address								

3C. Details of Authorised contact person									
3.11	Contact Name								
3.12	Identity number								
3.13	Work telephone number								
3.14	Cellphone number								
3.15	Fax number								
3.16	Email address								
3.17	Position held/relation to applicant								

3D. Physical Address									
3.18	Street number								
3.19	Street name								
3.20	Suburb								
3.21	Town/City					Postal Code			
3.22	How many years have the entity operated in the area?								



APPLICATION NUMBER

Section 3

Application details (entity)

3E. Postal Address

3.23	Street number/PO Box						
3.24	Suburb						
3.25	Town/City				Postal Code		

Section 4

Form of applicant (entity)

4A. Right allocation records

4.1	Were you awarded a fishing right during Long Term Rights Allocation and Management Process: 2005 (2005/6 LTRAMP) in this sector and Fishing Right Allocation Process: 2013 (FRAP: 2013)?	Y/N
4.2	Have you applied for any other fishing rights during the Fishing Rights Allocation Process: 2015/16 (FRAP 2015/16)?	Y/N
4.3	If "Yes," in "4.2" complete the table below for all fishing rights applied for (including this application) in order of preference (exclude Fish Processing Establishment: (FPE))	Y/N

Name of Applicant for other right	Fishery	Application Number
01		
02		
03		
04		
05		
06		
07		
08		
09		
10		



APPLICATION NUMBER

Section 4

Form of application (entity)

4.4	Is the applicant more than 50% South African owned?			Y/N
4.5	Does the applicant hold any share(s) /membership interest in any other legal entity that is applying for a fishing right in this sector? If yes complete table below			Y/N
	Name of applicant	Fishery	Applicants percentage shareholding or Membership interests	Application number
4.6	Does the applicant hold any share(s)/ membership interest in any legal entity that is applying for a fishing right in any other sector? If yes complete table below.			Y/N
	Name of applicant	Fishery	Applicants percentage shareholding or Membership interests	Application number
4.7	Do you derive income from any other sources? If "Yes," complete the table below.			Y/N
	Source of income			Annual Income Derived



APPLICATION NUMBER

Section 5

Compliance

5.1	Have you been charged with an offence under the MLRA, or the regulations or permit conditions during the long-term right period?	Y/N	
5.2	Have you entered into a plea bargain under the Criminal Procedure Act 51 of 1977, for a contravention of the MLRA, or the regulations, or permit conditions during LTRAMP period?	Y/N	
5.3	Have you been convicted of a contravention of the MLRA, or the regulations, or permit conditions during the long-term right period?	Y/N	
5.4	Have you paid an admission of guilt fine for a contravention of the MLRA, the regulations, or the permit conditions during the long-term right period?	Y/N	
5.5	Has your fishing vessel, motor vehicle, premises or any of your assets been detained, arrested or seized under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the long-term right period?	Y/N	
5.6	Was your right or permit suspended, revoked, cancelled, reduced or altered under section 28 of the MLRA during the long-term right period?	Y/N	

Section 6

Access to a suitable vessel

6.1	Do you own a suitable vessel (>50% ownership)?	Y/N	
6.2	Do you have a 50% ownership in a suitable vessel?	Y/N	
6.3	Do you have part-ownership in a suitable vessel (<50%)?	Y/N	
6.4	Do you have an access agreement in a suitable vessel (e.g. catching agreement, credit guarantees, sponsorship etc.)?	Y/N	
6.5	Vessel Details (complete vessel details below)		
Vessel name		Gross tonnage (gt)	Vessel length (m)
Vessel type		Vessel horse power (kw)	Number of crew



APPLICATION NUMBER

Section 7

Fishing Performance

7.1	Did you utilise your fishing right for at least five years during the period 2007 to 2014?						Y/N
7.2	Complete the table below in relation to your catch records in the sector applying for						
Year	Catch permit applied for? (Y/N)	Right Number (e.g. NETM)	Name(s) of vessel(s)	Number of crew allocated	Individual TAC (Right holder quantum)	Did you land any fish? (Y/N)	Actual amount landed in kilograms
2007							
2008							
2009							
2010							
2011							
2012							
2013							
2014							

Section 8

Transformation

8A. Management and Employment Equity			
8.1	Complete the table below in respect of shareholding/membership interest held by black persons		
Year	Percentage shareholding / Membership interest held by black persons	Percentage Voting Rights Held by Black Persons	Percentage of Dividends Black Shareholders are Entitled To
2005 (as in 2005 application form)			
2015 (at date of application)			

Section 8

Transformation

8.2 Complete the table below in respect of the applicant's transformation profile.

%Black shareholding in 2005	%Black shareholding in 2014	%Black shareholding at application date

8.3 Complete the following table in relation to the applicant's most recent employment equity profile.

B=Black, C=Coloured, A=Asians, W=White and F=Females

Occupational Levels	Gender	B No.	B%	C No.	C%	A No.	A%	W No.	W%	Total	
										BCA %	F%
Top management	Male										
	Female										
Senior management	Male										
	Female										
Professionally qualified and experienced specialists and mid-management	Male										
	Female										
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents	Male										
	Female										
Semi-skilled and discretionary decision making	Male										
	Female										
Unskilled and defined decision making	Male										
	Female										
TOTAL EMPLOYEES (add females and males)	Permanent										
	Temporal										

8.4 Complete the table below in respect of the applicant's board of director's (if a company) or members (if a close corporation) as at date of application.

	Director / Member Name (Initial & Surname)	Years of Service	Black (Y/N)	Gender (M/F)	Age	Disability (Y/N)	Identity Number
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							



APPLICATION NUMBER

Section 8

Transformation

8B. Cooperate social investment

8.5	Does the applicant make donations of the annual taxable income which qualify for deduction in terms of section 18A of the Income Tax Act 58 of 1962?	Y/N
-----	--	-----

8C. Affirmative procurement

8.6	Does the applicant procure goods / services from majority black owned company (ies)?	Y/N
-----	--	-----

8D. Local Economic Development

8.7 Complete the table below in respect to harbours where catch has been landed and processed

Year	Harbour name	Quantity landed (kilograms)	Factory name	Quantity processed (kilograms)
2010				
2011				
2012				
2013				
2014				

8.8 Complete the table below in respect to harbours where catch is to be landed and processed
Rank by order of usage from 1 – 3 (3 being the highest)

Harbour Name	Frequency of usage	Factory name	Frequency of usage

Section 9

Job creation

9.1	Do you provide permanent employment?	Y/N
9.2	Do you contribute towards medical aid for more than 50% of your employees?	Y/N
9.3	Do you contribute towards pension/provident fund for more than 50% of your employees?	Y/N
9.4	Do you provide all your employees with safe working conditions at sea?	Y/N
9.5	Do you provide any other kinds of benefits for your employees (e.g. employee share scheme)?	Y/N

Section 10



APPLICATION NUMBER

IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.



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